



Atty. Docket No.: 18433/2042

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rance, et al.  
Serial No.: 09/963,803  
Filed: September 26, 2001  
Entitled: Chimeric Expression Promoters  
Originating from Commelina Yellow  
Mottle Virus and Cassava Vein  
Mosaic Virus

Examiner: Sullivan, D.M.

Group Art Unit: 1636

Conf. No.: 9170

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Mail Stop Amendment; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response re: Non-Compliance Amendment mailed October 28, 2004;
2. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 18433/2042. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date:

11/5/04

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**RESPONSE TO OFFICE COMMUNICATION**

Sir:

This Amendment is being filed in response to the Office Communication mailed from the U.S. Patent and Trademark Office on October 28, 2004 in the above-identified application. The communication indicated that the status identifiers for the claim listing filed with Applicants' response of September 7, 2004 were incorrect. Applicants accordingly submit a substitute Listing of the Claims in compliance with 37 C.F.R. § 1.121(c).

**Amendments to the Claims** are shown in the "Listing of the Claims" which begins on page 2 of this paper.

Please enter the following amendments and remarks.